

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GUS GAGASOULES, et al.,

Plaintiffs,

-against-

ORDER
CV 08-2409(ADS)(ARL)

MBF LEASING, LLC, et al.,

Defendants.

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LINDSAY, Magistrate Judge:

Before the court is plaintiffs' letter application dated March 15, 2010 (i) seeking clarification of the undersigned's directive concerning the scope of inquiry into property taxes collected by defendants; and (ii) requesting an order permitting plaintiffs to inquire into defendants' policies, procedures and practices concerning personal property taxes, the extraction of data produced as defendants' "database," and related issues. Defendants oppose the application.

Based on Plaintiffs' counsel's representation that plaintiffs had evidence MBF had overcharged Jan Niblett and Rhonda Garner (and their associated entities) for property taxes at a status conference before the undersigned on December 16, 2011, the court directed that plaintiffs may inquire into the limited issue regarding the personal property tax overcharges at the depositions of these two individuals. Plaintiffs' application to inquire into defendants' policies, procedures and practices concerning personal property taxes and to explore the authenticity of the extract from the database exceeds the limited scope of the court's order. Accordingly, Plaintiffs' motion is denied.

Also before the court is Plaintiffs' application dated March 23, 2011 seeking to adjourn the final conference scheduled for March 30, 2011 and to extend the deadline for filing a proposed joint pretrial order in light of the district court's extension of time to commence dispositive motion practice. The application is granted, in part. The conference scheduled for March 30, 2011 is canceled in light of the district court's extension of time to commence dispositive motion practice. The parties are directed to file the proposed pretrial order on or before April 15, 2011 based on the present status of the case and if the district court grants the motion to amend, the parties may supplement the proposed pretrial order within fifteen days of the district court's decision.

Dated: Central Islip, New York
March 28, 2011

SO ORDERED:

_____/s/_____
ARLENE R. LINDSAY
United States Magistrate Judge